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UNITED STATES DISTRICT COURT
Northern District of California
San Francisco Division

BURTON GENE DAY,

No. C 13-3436 LB

Plaintiff,

ORDER OF DISMISSAL

v.

[Re: ECF No. 1]

DOLLY MATTEUCCI,

Defendant.

Plaintiff filed this *pro se* civil rights action under 42 U.S.C. § 1983 to challenge the conditions of confinement at Napa State Hospital, where he is housed. The court reviewed the complaint, determined that it did not state a claim upon which relief could be granted, and dismissed it with leave to file an amended complaint no later than October 25, 2013. *See* ECF No. 8 at 4. Plaintiff did not file an amended complaint, and the deadline by which to do so has passed. Accordingly, this action is dismissed for failure to state a claim upon which relief may be granted. The clerk shall close the file.

IT IS SO ORDERED.

Dated: November 12, 2013


LAUREL BEELER
United States Magistrate Judge